

REMARKS

This Reply is filed concurrently with a Request for Continued Examination, in accordance with 37 C.F.R. § 1.114, and in response to the Final Office Action mailed on March 9, 2010.

I. Status of the Claims

Claims 27-29 and 31-52 are pending in this application. Without prejudice or disclaimer, Applicants have amended claims 40, 45, and 48. After entry of this Amendment, claims 27-29 and 31-52 will remain pending. Applicants submit that the specification, drawings, and claims as originally filed, such as for example page 11, lines 15-24 and original claim 22, provide Section 112 support for these amendments. Thus, no new matter has been presented. Applicants appreciate that the Examiner has allowed claims 27-29 and 31-39.

II. Examiner's Interview

Applicants appreciate the Examiner's grant of the telephonic interview that took place on June 3, 2010.

During the interview, Applicants' representatives argued that element 60 of Midgley et al. does not teach the "feeding device" as claimed in claims 40 and 45. With respect to claim 40, the Examiner suggested that claim 40 would probably be allowable over Midgley et al. if amended to recite that the mold is closed; however, he noted that he is obligated to conduct a further search of the prior art.

Regarding claim 45, the Examiner noted that the feeding device is associated with an "airtight device" and not an "airtight vulcanization mold," as in claim 40. The

Examiner asserted that the embodiment of Applicants' Fig. 3 is similar to the embodiment of Fig. 10 in Midgley et al., because the heater and inlet 60 would correspond to airtight device 200 and feeding device 208, even if the "mold is closed" language were added to this claim. Applicants' representatives argued that, in the embodiment of Fig. 3, the vulcanization mold for the tire surface and the airtight device are physically separated, and that, if amended to recite "the vulcanization mold is disposed outside of the airtight device," then claim 45 would be allowable over Fig. 10 of Midgley et al., which depicts molds stacked in the heater.

III. Rejections Under 35 U.S.C. § 103(a)

A. The Examiner rejects claims 40-50 and 52 under 35 U.S.C. § 103(a) as allegedly "being unpatentable over" U.S. Patent No. 1,394,928 to Midgley et al. ("Midgley") in view of U.S. Patent Nos. 6,409,959 to Caretta et al. ("Caretta") and 1,407,839 to Clinefelter et al. ("Clinefelter"), "and optionally further in view of" U.S. Patent No. 6,332,999 to Caretta ("Caretta II"). See Office Action at 2-3.

Although Applicants do not necessarily agree with this rejection, in the interest of expediting prosecution of this application, Applicants have amended independent claim 40 to recite, "[a]n apparatus for molding and curing a tyre for a vehicle wheel, the apparatus comprising...a passage device, which fluidly connects the inner surface of the toroidal support and an outer surface of the toroidal support, and is configured to feed at least one primary working fluid under pressure between the outer surface of the toroidal support and an inner surface of the tyre; [and] a feeding device configured to engage the airtight vulcanization mold and to supply at least one secondary working fluid to an outside surface of the tyre when said mold is closed," (emphasis added).

Applicants respectfully submit that none of the cited references, either alone or in combination, teach each and every element of currently-amended independent claim 40. For example, Midgley does not teach or suggest a configuration to “supply at least one secondary working fluid to an outside surface of the tyre when said mold is closed.” Accordingly, Applicants request that the rejection of claim 40 under 35 U.S.C. § 103(a) be withdrawn.

Claims 41-44 depend from claim 40, and are therefore patentable over the cited prior art references for at least the same reasons as those discussed with respect to claim 40.

Also in the interest of expediting prosecution of this application, Applicants have amended claim 45, which now recites, among other things, “a toroidal support having an inner surface and an outer surface, the outer surface being adapted to support an unvulcanized tyre; an airtight device arranged to receive the toroidal support and the unvulcanized tyre supported by the toroidal support; a vulcanization mold configured to receive the toroidal support and the unvulcanized tyre supported by the toroidal support within a molding cavity of the vulcanization mold; a passage device, which fluidly connects the inner surface of the toroidal support and an outer surface of the toroidal support, and is configured to feed at least one primary working fluid under pressure between the outer surface of the toroidal support and an inner surface of the tyre; a feeding device configured to engage the airtight device and to supply at least one secondary working fluid to an outside surface of the tyre;... wherein the vulcanization mold is disposed outside of the airtight device; [and] wherein the airtight device

comprises at least one duct for feeding the at least one primary working fluid to the passage device," (emphasis added).

Applicants respectfully submit that none of the cited references, either alone or in combination, teach each and every element of currently-amended independent claim 45. For example, Midgley does not teach or suggest "supply[ing] at least one secondary working fluid to an outside surface of the tyre" when the tyre is in the airtight device and the mold is disposed outside the airtight device. Accordingly, Applicants request that the rejection of claim 45 under 35 U.S.C. § 103(a) be withdrawn.

Claims 46-50 and 52 depend from claim 45, and are therefore patentable over the cited prior art references for at least the same reasons as those discussed with respect to claim 45.

B. The Examiner rejects claim 51 under 35 U.S.C. § 103(a) as allegedly "being unpatentable over" Midgley in view of Caretta and Clinefelter, as applied above, and further in view of U.S. Patent No. 6,350,402 to Kobayashi ("Kobayashi"). See Final Office Action at 3.

Applicants respectfully traverse for at least the following reasons. For the reasons discussed above, Midgley, Caretta, and Clinefelter do not render obvious claims 40-50 and 52. Because claim 51 depends from claim 50, Midgley, Caretta, and Clinefelter also do not render obvious claim 51 for these same reasons, and Kobayashi does not cure the deficiencies of these references. Accordingly, for at least this reason, Applicants respectfully submit that the Examiner has not established a *prima facie* case of obviousness and the rejection should be withdrawn.

IV. Conclusion

In view of the foregoing amendments and remarks, Applicants submit that the claimed invention is neither anticipated nor rendered obvious in view of the prior art references cited against this application.

If the Examiner believes a telephone conference could be useful in resolving any of the outstanding issues, the Examiner is respectfully urged to contact Applicants' undersigned counsel.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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